

DOCKET NO: ISA-048.06  
(Old Docket No. IMIN.P-002-2)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Davis, et al.  
Serial No: 09/944,389  
Confirmation No: 9864  
Filed: September 4, 2001  
For: Assays

Examiner: Nguyen, Bao Thuy L.  
Art Unit: 1641

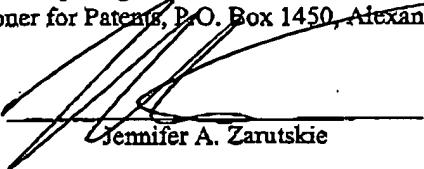
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Jennifer A. Zarutskie

Mail Stop: 313(c)  
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PETITION TO WITHDRAW APPLICATION FROM ISSUE  
UNDER 37 C.F.R. §1.313(c)(2) AND M.P.E.P. §1308

Sir/Madam:

Pursuant to 37 C.F.R. § 1.313(c)(2), Applicant petitions to withdraw the above-referenced patent application from issue. Applicant submits herewith a Request for Continued Examination (RCE) and an IDS that includes a PTO-1449. Applicant paid the Issue Fee for the above-referenced patent application on February 17, 2005.

The Commissioner is hereby authorized to withdraw the petition fee of \$130 under 37 C.F.R. §1.17(h) and the RCE fee of \$790 under 37 C.F.R. §1.17(e) to Deposit Account Number 06-1448, Reference ISA-048.06. If the amount is insufficient, the Commissioner is hereby authorized to credit any overpayment or charge any deficiencies to the same Deposit Account.

16/27/2005 10:46:00 AM 2005 06/27/2005 10:46:00 AM

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Serial No.

-2-

Art Unit

The Office is requested to telephone Applicants' undersigned counsel at the number given below if any questions should arise in connection with this matter.

Respectfully submitted,  
FOLEY, HOAG LLP



Jennifer A. Zarutskie, Ph.D.  
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Dated: June 27, 2005



**FOLEY  
HOAG LLP**  
ATTORNEYS AT LAW

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From: Ph.D., J.D.	Sender's Number: 617-832-1754	User #: 1060
Total Pages Sent (Including Cover Sheet): 42		Office: Boston

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**Message**

Please find following a Petition to Withdraw USSN 09/944,389 from Issue along with an RCE and submission and accompanying requisite paperwork.

Please confirm receipt of this filing either by fax to my attention at (617) 832-7000 or email to [jzarutskie@foleyhoag.com](mailto:jzarutskie@foleyhoag.com).

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PTO/SB/97 (08-04)

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3. Statement Under 37 CFR 3.73(b) (1 page)
4. Change of Docket No. Request (1 page)
5. Petition to Withdraw Application From Issue (2 pages)
6. Request for Continued Examination (1 page)
7. Information Disclosure Statement (3 pages)
8. PTO-1449 (1 page)
9. Reference B1 (17 pages)
10. Reference B2 (13 pages)

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